THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.4848 OF 2006

Dt.13.3.2006

Between:

Bahadur Govinda @

Govinda Rajulu … Petitioner

And

The Chief Commissioner of Land Administration,

A.P., Hyderabad and two others. … Respondents

ORDER:

Petitioner seeks writ of mandamus directing the Mandal Revenue Officer, Serilingampally Mandal, Ranga Reddy District, not to dispossess the petitioner from his house Plot No.11 admeasuring 300 sq.yards comprised in Sy.No.27 of Madapur Village, Serilingampally Mandal, Ranga Reddy District, pending disposal of the Appeal CCLA's Ref.No.BCW5/79/2006 before the first respondent.

It is stated that against the orders of the Mandal Revenue Officer, Serilingampally Mandal in initiating the action for demolition of the structure in Plot No.11 to an extent of 300 sq.yards in Sy.No.27 of

Madapur Village, the petitioner filed an appeal before the Joint Collector-II, Ranga Reddy District in Case No.E1/2431/2004 dt.31.12.2005 and pending disposal of the appeal stay has been granted and thereafter the appeal has been dismissed by order dated 31.12.2005 on the ground that the pattedar while making lay out in Sy.No.27 also included Government land in Sy.No.87 covering an extent of 0.15 guntas and the petitioner purchased plot No.11 to an extent of 300 sq.yards in Sy.No.27 and constructed a house and during the survey of the Government land it is found that the pattedar of Sy.No.27 has encroached the Government land to an extent of 0.15 guntas. As against the said order dated 31.12.2005, the petitioner filed appeal in CCLA's Ref.No.BCW5/79/2006 before the Chief Commissioner, Land Administration, Andhra Pradesh, under Section 10 of the Act on 3.2.2006. It is stated that the petitioner has also requested for grant of stay of the order dated 31.12.2005 passed by the 2nd respondent.

Heard the learned counsel for the petitioner and the learned Government Pleader on behalf of the respondents.

Having regard to the facts and circumstances of the case, as the appeal in CCLA's Ref.No.BCW5/79/2006 is pending before the first respondent, the first respondent is directed to consider and dispose of the said appeal in accordance with law. Pending disposal of the appeal, status quo obtaining as on today with regard to the possession of the land in House Plot No.11 admeasuring 300 sq.yards in Sy.No.27 of Madapur Village which is alleged to have been situated in Sy.No.87 shall be maintained.

The writ petition is disposed of accordingly. No order as to costs.

(V.ESWARAIAH, J.)

13.3.2006

Note: Issue copy within three days

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